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EXAMINER
DAM, KIM LYNN

ART UNIT	PAPER NUMBER
2179	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/762,218	SIROTA ET AL.
	Examiner	**Art Unit**	
	KIM-LYNN DAM	2179	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _09 March 2010_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-14, 17-40 and 43-53_ is/are pending in the application.
     4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-14, 17-40 and 43-53_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
      Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
      Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
      a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR

1.17(e) has been timely paid, the finality of the previous Office action has been

withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/9/2010 has

been entered.

Claims 1-14, 17-40 and 43-53 have been examined and are pending. Claims 1 and 27

are independent.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
such that the subject matter as a whole would have been obvious at the time the invention was made to a
person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived
by the manner in which the invention was made.

1.   Claims 1-3, 5, 8-14, 17, 18, 20, 21, 26-29, 31, 34-40, 43, 44, 46, 47, 52 and 53

are rejected under 35 U.S.C. 103(a) as being unpatentable over Yurkovic (USPN

6,487,585) in view of Parasnis et al. (US 6,728,753), further in view of Liu et al.

(US7,421,469).

Regarding claim 1, Yurkovic disclosed a method executed over a distributed computer

network comprising:

scheduling at a server device a network-based media event (Abstract, lines 5-10;

Column 1, lines 48-54; Figure 2, item 12); and

sending a client device a message inviting an attendee to attend the network-based

media event (Column 3, lines 54-60; Figure 7; Column 5, lines 32-48).

Yurkovic did not specifically disclose transferring to the client device program code that

includes information relating to the media event, the program code configured to cause

an Internet browser at the client device to be automatically launched for presentation of

the media event based on the information relating to the media event, wherein the

program code automatically launches the Internet browser application when the Internet

browser application is not already running on the client device; wherein the media event

includes a data stream broadcast produced by the server device, the data stream

broadcast includes at least one of data encoded during production of the data stream

broadcast and data previously encoded, the data stream broadcast includes a data

channel for instructing a portion of the media event. However, in an analogous art,

Parasnis disclosed launching a media event including a data stream broadcast (Column

24, line 19 to Column 27, line 56). Yurkovic and Parasnis did not specifically disclose

transferring to the client device program code that includes information relating to the

media event, the program code configured to cause an Internet browser at the client

device to be automatically launched for presentation of the media event based on the

information relating to the media event, wherein the program code automatically

launches the Internet browser application when the Internet browser application is not

already running on the client device. However, Liu et al. disclosed automatically

launching a web browser for a scheduled meeting (Column 9, lines 45-55). It would

have been obvious to one of ordinary skill in the art at the time the invention was made

to incorporate the teachings of Parasnis and Liu into the system of Yurkovic since the

media event of Parasnis allows for users to attend a broadcasted media event and the

automatic feature Liu would prevent users from having to manually open a browser at

the time of the event.

Regarding claim 2, the rejection of claim 1 is incorporated and further Yurkovic

disclosed wherein scheduling the media event includes defining a broadcast time, a

broadcast date, and a broadcast type for the media event (Figures 5 and 6, Column 4,

line 36 to Column 5, line 6). It is inherent that a broadcast type is defined when a media

event is scheduled (Column 1, lines 58-64).

Regarding claim 3, the rejection of claim 1 is incorporated and further Yurkovic

disclosed wherein scheduling the media event includes defining one or more options for

the media event (Column 1, lines 58-64).

Regarding claim 5, the rejection of claim 1 is incorporated and further Yurkovic

disclosed wherein scheduling the media event includes uploading a slideshow

presentation (Column 5, lines 16-24).

Regarding claim 8, the rejection of claim 1 is incorporated and further Yurkovic

disclosed wherein scheduling the media event includes specifying one or more

attendees (Figure 7; Column 5, lines 32-48).

Regarding claim 9, the rejection of claim 1 is incorporated and further Yurkovic

disclosed further comprising: registering an attendee for the network-based media event

(Figure 7; Column 5, lines 32-61).

Regarding claim 10, the rejection of claim 9 is incorporated and further Yurkovic

disclosed wherein registering an attendee includes assigning a password to the

attendee (Column 5, lines 49-61).

Regarding claim 11, the rejection of claim 9 is incorporated and further Yurkovic

disclosed wherein registering an attendee includes collecting information from the

attendee (Figure 8B, item 702b; Column 6, lines 47-57).

Regarding claim 12, the rejection of claim 1 is incorporated and further Liu discloses

wherein the program code comprises a password to automate login to the media event

(Column 9, lines 45-64).

Regarding claim 13, the rejection of claim 1 is incorporated and further Yurkovic

disclosed further comprising: reminding an attendee to attend the network-based media

event (Abstract, lines 10-12; Column 2, lines 3-6; Column 3, lines 54-60).

Regarding claim 14, the rejection of claim 1 is incorporated and further Yurkovic

disclosed further comprising: executing the network-based media event (Column 6, line 58 to Column 7, line 29).

Regarding claim 17, the rejection of claim 14 is incorporated and further Yurkovic disclosed wherein executing the media event includes establishing a connection between the client device and the server device (Figure 1 and 2, items 10, 18, 30-1, 30-i and 40; Column 3, lines 41-49).

Regarding claim 18, the rejection of claim 17 is incorporated and further Yurkovic disclosed wherein executing the media event further includes accessing, with the Internet browser application at the client device, a data stream broadcast by the server device ("presentation page", Column 6, lines 47-57).

Regarding claim 20, the rejection of claim 14 is incorporated and further Yurkovic disclosed wherein executing the media event includes establishing a connection between a host device and the server device (Figure 2, items 12 and 18; Column 3, lines 41-49).

Regarding claim 21, the rejection of claim 14 is incorporated and further Yurkovic disclosed wherein executing the media event includes broadcasting a data stream from the server device to one or more client devices (Figure 1 and 2, items 10, 18, 30-1, 30-I and 40; Column 3, lines 41-49).

Regarding claim 26, the rejection of claim 21 is incorporated and further Yurkovic

disclosed wherein executing the media event further includes encoding the data stream

prior to broadcasting the data stream (Column 7, lines 14-21).

Regarding claims 27-29, 31, 34-39, 40, 43, 44, 46, 47 and 52, they are the

corresponding program product claims of 1-3, 5, 8-13, 14, 17, 18, 20, 21 and 26.

Therefore, claims 27-29, 31, 34-40, 43, 44, 46, 47 and 52 are rejected under the same

rationale as applied above.

Regarding claim 53, the rejection of claim 20 is incorporated and further Liu disclosed

wherein the connection between the host device and the server device is established by

an applet (Column 5, lines 7-32). It would have been obvious to one of ordinary skill in

the art at the time the invention was made to incorporate the teachings of Liu into the

system of Yurkovic and Parasnis, since doing so would allow the client to connect and

begin interaction with the server automatically when the browser is launched.

2.   Claims 4, 7, 30 and 33 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Yurkovic (USPN 6,487,585) in view Parasnis et al. (US 6,728,753)

and Liu et al. (US 7,421,469) further in view of Hanson et al. (USPN 6,457,045).

Regarding claim 4, the rejection of claim 3 is incorporated and Yurkovic further

disclosed wherein the options are chosen from the group consisting of a slideshow

presentation. Neither Yurkovic, Parasnis nor Liu specifically disclosed the group

consisting an interactive poll. However, Hanson disclosed polling a group of

participants connected to a network (Abstract, lines 1-3; Column 13, lines 21-32). It

would have been obvious to one of ordinary skill in the art at the time of invention to

include the interactive polling of Hanson as one of the media event options in order to

provide means for collecting data or choices from multiple participants (Hanson: Column

13, lines 21-32).

Regarding claim 7, the rejection of claim 1 is incorporated and Yurkovic disclosed

scheduling media events (Abstract, lines 5-10; Column 1, lines 48-54; Figure 2, item

12). Neither Yurkovic, Parasnis nor Liu specifically disclosed configuring an interactive

poll. However, Hanson disclosed polling a group of participants connected to a network

(Abstract, lines 1-3; Column 13, lines 21-32). It would have been obvious to one of

ordinary skill in the art at the time of invention to incorporate the interactive polling of

Hanson with the scheduling media events of in order to provide means for collecting

data or choices from multiple participants (Hanson: Column 13, lines 21-32).

Regarding claims 30 and 33, they are the corresponding program product claims of 4

and 7. Therefore claims 30 and 33 are rejected under the same rationale as applied

above.

3.   Claim 6 and 32 rejected under 35 U.S.C. 103(a) as being unpatentable over

Yurkovic (USPN 6,487,585) in view Parasnis et al. (US 6,728,753) and Liu et al. (US

7,421,469), further in view of Dunlap et al. (USPN 6,560,637).

Regarding claim 6, the rejection of claim 5 is incorporated. Neither Yurkovic, Parasnis,

nor Liu specifically disclosed wherein scheduling the media event further includes

converting one or more slides of the slideshow presentation into a standard image file

format. However, Dunlap disclosed the above limitation (Column 4, lines 19-24). It

would have been obvious to one of ordinary skill in the art at the time of invention to

incorporate the teachings of Dunlap since converting slides to image files allows images

to be viewed without special plug-ins or controls (Dunlap: Column 4, lines 19-24).

Regarding claim 32, it is the corresponding program product claim of 6. Therefore claim

32 is rejected under the same rationale as applied above.

4.   Claims 1-3, 5, 8, 9, 11, 13-14, 17-22, 27-29, 31, 34, 35, 37, and 39-40, 43-48 are

also rejected under 35 U.S.C. 103(a) as being unpatentable over Bookspan et al.

(USPN 6,636,888) in view of Parasnis et al. (US 6,728,753), further in view of Liu et al.

(US 7,421,469).

Regarding claim 1, Bookspan disclosed a method executed over a distributed computer

network comprising:

        scheduling at a server device a network-based media event (Column 2, lines 37-

49); and

        sending a client device a message inviting an attendee to attend the network-

based media event (Column 2, lines 49-55).

Bookspan did not specifically disclose transferring to the client device program code

that includes information relating to the media event, the program code configured to

cause a browser at the client device to be automatically launched for presentation of the

media event based on the information relating to the media event, wherein the media

event includes a data stream broadcast produced by the server device, the data stream

broadcast includes at least one of data encoded during production of the data stream

broadcast and data previously encoded. However, in an analogous art, Parasnis

disclosed launching a media event including a data stream broadcast (Column 24, line

19 to Column 27, line 56). Bookspan and Parasnis did not specifically disclose

transferring to the client device program code that includes information relating to the

media event, the program code configured to cause an Internet browser at the client

device to be automatically launched for presentation of the media event based on the

information relating to the media event, wherein the program code automatically

launches the Internet browser application when the Internet browser application is not

already running on the client device. However, Liu et al. disclosed automatically

launching a web browser for a scheduled meeting (Column 9, lines 45-55). It would

have been obvious to one of ordinary skill in the art at the time the invention was made

to incorporate the teachings of Parasnis and Liu into the system of Bookspan since the

media event of Parasnis allows for users to attend a broadcasted media event and the

automatic feature Liu would prevent users from having to manually open a browser at

the time of the event.

Regarding claim 2, the rejection of claim 1 is incorporated and further Bookspan

disclosed wherein scheduling a media event includes defining a broadcast time (Figure

7, item 530; Figure 13 item 1106), a broadcast date (Figure 5, item 526; Figure 13 item

1106), and a broadcast type for the media event (Figure 5, items 322 and 324; Figure

13, items 1116, 1118, 1120).

Regarding claim 3, the rejection of claim 1 is incorporated and further Bookspan

disclosed wherein scheduling a media event includes defining one or more options for

the media event (Figure 5, items 322 and 324; Figure 13, items 1116, 1118, 1120).

Regarding claim 5, the rejection of claim 1 is incorporated and further Bookspan

disclosed wherein scheduling a media event includes uploading a slideshow

presentation (Column 22, lines 39-43).

Regarding claim 8, the rejection of claim 1 is incorporated and further Bookspan

disclosed wherein scheduling a media event includes specifying one or more attendees

(Column 2, lines 49-55).

Regarding claim 9, the rejection of claim 1 is incorporated and further Bookspan

disclosed further comprising: registering an attendee for the network-based media event

(Column 14, lines 33-36).

Regarding claim 11, the rejection of claim 9 is incorporated and further Bookspan

disclosed wherein registering an attendee includes collecting information from an

attendee (Column 14, lines 33-36; Column 15, lines 1-5).

Regarding claim 13, the rejection of claim 1 is incorporated and further Bookspan disclosed further comprising: reminding an attendee to attend the network-based media event (Figure 9; Column 2, lines 61-65).

Regarding claim 14, the rejection of claim 1 is incorporated and further Bookspan disclosed further comprising: executing the network-based media event (Column 22, lines 1-21).

Regarding claim 17, the rejection of claim 14 is incorporated and further Bookspan disclosed wherein executing the media event includes establishing a connection between an attendee computer and a remote server (Column 22, lines 1-21 (wherein the presentation is viewed by the attendee provided from the NETSHOW server, therefore it is inherent that there is a connection between an attendee computer and a remote server).

Regarding claim 18, the rejection of claim 17 is incorporated and further Bookspan disclosed wherein executing the media event further includes accessing, with a browser, the data stream broadcast by the remote server (Column 22, lines 1-21 (wherein the presentation is viewed by the attendee from the NETSHOW server)).

Regarding claim 19, the rejection of claim 18 is incorporated and further Bookspan disclosed wherein the data stream is an encoded data stream and executing the media

event further includes decoding the encoded data stream (Column 24, lines 20-26).

Regarding claim 20, the rejection of claim 14 is incorporated and further Bookspan disclosed wherein executing the media event includes establishing a connection between a host device and a remote server (Column 2, lines 37-49 (where user schedules the presentation with a broadcast server); Column 12, lines 15-19).

Regarding claim 21, the rejection of claim 14 is incorporated and further Bookspan disclosed wherein executing the media event includes broadcasting the data stream from a remote server to one or more attendee computers (Column 22, lines 1-21).

Regarding claim 22, the rejection of claim 21 is incorporated and further Bookspan disclosed wherein executing the media event further includes embedding a file representative of a slideshow slide into the data stream (Column 22, lines 14-19).

Regarding claims 27-29, 31, 34, 35, 37, and 39-40 and 43-48, they are the corresponding program product claims of 1-3, 5, 8, 9, 11, 13-14 and 17-22. Therefore, claims 27-29, 31, 34, 35, 37, 39-40 and 43-48 are rejected under the same rationale as applied above.

5.   Claims 23-25 and 49-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bookspan et al. (USPN 6,636,888) in view of Parasnis et al. (US

6,728,753) and Liu et al. (US 7,421,469), further in view of Hanson et al. (USPN 6,457,045).

Regarding claim 23, Bookspan disclosed the method of claim 21 wherein executing the media event further includes embedding a file representative of a slideshow slide into the data stream (Column 22, lines 14-19). Neither Bookspan Parasnis, nor Liu specifically disclosed wherein executing the media event further includes embedding a file representative of an opinion poll into the data stream. However, Hanson disclosed polling a group of participants connected to a network as a media event (Abstract, lines 1-3; Column 13, lines 21-32). It would have been obvious to one of ordinary skill in the art at the time of invention to embed a file representative of an opinion poll into the data stream similarly to embedding a file representative of a slideshow slide since doing so improves the synchronization of the broadcasting (Bookspan: Column 22, lines 14-19).

Regarding claim 24, the rejection of claim 23 is incorporated and further Hanson disclosed wherein executing the media event further includes transmitting, from the client device to the server device, poll data representative of an attendee response to the opinion poll (Column 2, lines 43-63 (wherein dynamic content received by server includes selected choices from participants). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teachings of Hanson with the execution of media events in order to provide means for collecting data or choices from multiple participants (Hanson: Column 13, lines 21-32) and to dynamically update the server with results from participants (Hanson: Column 2, lines 43-63).

Regarding claim 25, the rejection of claim 24 is incorporated and further Hanson

disclosed wherein executing the media event further includes storing the poll data on

the server device (Column 2, lines 43-63 (wherein server has associated database

which retrieves and stores dynamic content including selected choices made by

participants).

Regarding claims 49-51, they are the corresponding program product claims of 23-25.

Therefore claims 49-51 are rejected under the same rationale as applied above.

Response to Arguments

6.   Applicant's arguments with respect to claims 1-3, 5, 8-14, 17, 18, 20, 21, 26-29,

31, 34-4-, 43, 44, 46, 47, 52 and 53 under 35 U.S.C. 103 have been considered but are

moot in view of the new ground(s) of rejection applied above.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to KIM-LYNN DAM whose telephone number is (571)270-

1408. The examiner can normally be reached on M-TH 8:00-5:30, every other Friday

8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kim-Lynn Dam

/Weilun Lo/

Supervisory Patent Examiner, Art Unit 2179